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GOVERNMENT OF KERALA

കേരള ഗസറ്റ് KERALA GAZETTE

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Administration of Justice - Judiciary

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GOVERNMENT OF KERALA
2025



THE HIGH COURT OF KERALA

NOTIFICATION

No. DI-1/3997/2021.

20th February 2025.

In exercise of the powers conferred by Sub section (14) of Section 11 of the Arbitration and Conciliation Act, 1996 (Central Act 26 of 1996), the High Court of Kerala hereby makes the following Rules to amend the “Kerala High Court (Fee Payable to Arbitrators) Rules, 2017” issued as per Notification DI-104127/2015, dated 9th November, 2017 and published in the Kerala Gazette No. 49, Volume VI, dated 12th December, 2017, namely:—

RULES

1. *Short title and commencement.*— (1) These rules may be called the “Kerala High Court (Fee Payable to Arbitrators) Amendment Rules, 2025”.

(2) They shall come into force on the date of its publication in the Kerala Gazette.

2. *Amendment to the Rules.*— In the “Kerala High Court (Fee Payable to Arbitrators) Rules, 2017”,—

(1) In rule 2, after sub-rule (3) the following new sub-rule shall be inserted

“(4) In the event of a claim and counter claim, the arbitrator’s fees shall be calculated on the aggregate of the claim and counter claim”

(2) In Rule 4,

(i) for Schedule A, the following schedule shall be substituted, namely:—

SCHEDULE A

<i>Sl.No.</i>	<i>Sum in Dispute</i>	<i>Fees</i>
1	Up to ₹ 5,00,000	₹ 45,000
2	Above ₹ 5,00,000 and up to ₹ 20,00,000	₹ 45,000 plus 3.5 percent of the claim amount over and above ₹ 5,00,000
3	Above ₹ 20,00,000 and up to ₹ 1,00,00,000	₹ 97,500 plus 3 percent of the claim amount over and above ₹ 20,00,000
4	Above ₹ 1,00,00,000 and up to ₹ 10,00,00,000	₹ 3,37,500 plus 1 percent of the claim amount over and above ₹ 1,00,00,000
5	Above ₹ 10,00,00,000 and up to ₹ 20,00,00,000	₹ 12,37,500 plus 0.75 percent of the claim amount over and above ₹ 10,00,00,000
6	Above ₹ 20,00,00,000	₹ 19,87,500 plus 0.5 percent of the claim amount over and above ₹ 20,00,00,000 with a ceiling of ₹ 30,00,000



(3) After Schedule A, the following note shall be inserted;

“Note:— In the event the arbitral tribunal is a sole arbitrator, he shall be entitled to an additional amount of twenty-five percent on the fee payable as per the tables set out above.”

(4) After Schedule B, the following note shall be inserted;

“Note:— In the event the arbitral tribunal is a sole arbitrator, he shall be entitled to an additional amount of twenty-five percent on the fee payable as per the tables set out above.”

By Order,

GOPAKUMAR, G
Registrar General.

Explanatory Note

(This does not form part of the notification but is intended to indicate its general purport.)

In order to rectify certain discrepancies and inadequacies in the fixation of the fees payable to the arbitrators as per the Kerala High Court (Fee payable to Arbitrators) Rules, 2017 and to enhance the fees payable to Arbitrators, amendment is necessary.

This notification is intended to achieve the above objective.



THE HIGH COURT OF KERALA**NOTIFICATION**

No. DI-1/81141/2024.

24th February 2025.

In exercise of the powers conferred by the High Court of Kerala under sub section (10) of Section 11 of the Arbitration and Conciliation Act, 1996 (Central Act 26 of 1996) and clause 14 of the Scheme for Appointment of Arbitrators by the High Court of Kerala, 1996, the High Court of Kerala hereby amends the said Scheme published in the Kerala Gazette Extra No. 1106, dated 20-9-1996, namely:—

AMENDMENTS

Amendment of the Scheme.—(1) The existing clause 3 shall be substituted with the following clause namely:—

“Upon receipt of a request under clause 2, the High Court shall adjudicate the matter.”

2. The existing clause 4 shall be substituted with the following clause and sub-clauses namely:—

“4. Appointment of Arbitrator.—

(a) The High Court of Kerala, after adjudicating the dispute, under Section 11(3) of the Arbitration and Conciliation Act, 1996 shall appoint any Arbitrator mutually agreed upon by the parties or direct the Kerala High Court Arbitration Centre to nominate an Arbitrator from the panel maintained by the Centre.

(b) The High Court of Kerala shall forward the document received under clause 2 to the Arbitrator or the Kerala High Court Arbitration Centre if the Arbitrator is nominated from the Panel maintained by the Centre.

(c) If an Arbitrator is nominated from the Panel maintained by the Kerala High Court Arbitration Centre, all proceedings shall follow the procedure and Rules of the Kerala High Court Arbitration Centre.

3. For the existing clause 5, the following clause shall be substituted namely:—

“5. Seeking further information.—

The High Court may seek further information or clarification from the party making the request under this Scheme.”

4. For the existing clause 6, the following clause shall be substituted namely:—

“6. Rejection of request.—

Where request made by any party under clause 2 is not in accordance with the provisions of this Scheme, the High Court may reject it.”



5. For the existing clause 7, the following clause shall be substituted namely:—

“7. Notice to affected persons.—

Subject to the provisions of clause 6, the High Court shall direct that a notice of the request be given to the parties to the arbitration agreement and such other person or persons as may seem appropriate or is likely to be affected by such request to show cause, within the time specified in the notice, why the appointment of the arbitrator or the measure proposed to be taken should not be made or taken and such notice shall be accompanied by copies of all documents referred to in clause 2 or, as the case may be, by information or clarification, if any, sought under clause 5.”

6. The existing clause 8 shall be omitted.

7. The existing clause 9 shall be substituted with the following clause namely:—

“9. Intimation of action taken on request.—

The appointment made or measure taken by the High Court in pursuance of the request under clause 2 shall be communicated in writing to—

- (a) the parties to the arbitration agreement;
- (b) the arbitrators, if any, already appointed by the parties to the arbitration agreement;
- (c) the person or the institution referred to in clause 2(2) (c);
- (d) the Arbitrator of the Kerala High Court Arbitration Centre if the Arbitrator is nominated from the panel maintained by the Centre.”

8. Sub-Clause 2 of Clause 12 shall be substituted with the following sub clause namely:—

“(2) The party making a request under this Scheme shall, on receipt of notice of demand from the Registry of the Court, where the High Court makes the appointment of an arbitrator or takes the necessary measure, pay initially an amount of Rs. 1,000 in accordance with the terms of notice towards the costs involved in processing the request subject to payment of further amount as may be ordered.”

By Order,

GOPAKUMAR, G.
Registrar General.

Explanatory Note

(This does not form part of the notification but is intended to indicate its general purport.)

The High Court had issued the Kerala High Court (Arbitration Centre) Rules, 2025 vide Notification No. DI-1/81141/2024 dated 17-2-2025. It is found that the above scheme needs to be modified in accordance with the provisions in the said rules.

The notification is intended to achieve the above object.

